

REMARKS/ARGUMENTS

Claims 4, 8, 9, 11-13, 18, 24-36 and 39-43 are pending. By the Amendment, claims 4, 18, 24, 26, 27, and 43 are amended. The amendments introduce no new matter. Support for the amendments can be found, for example, on page 33, lines 4-21. A Request for Continued Examination is attached. Reconsideration of the application based on the above amendments and the following remarks are respectfully requested.

Personal Interview

Applicant appreciates the courtesies extended to Applicant's representative by Examiners Fisher and Mooneyham during the August 11, 2009 personal interview with the Examiners. Applicant's summary of the substance of the interview is contained in the following remarks.

Claim Objection

Claim 43 is objected to for an informality. The amendment to claim 43 obviates the objection.

Withdrawal of the objection is respectfully requested.

Rejection under 35 U.S.C. §101

Claims 18, 24-31, and 39-42 are rejected under 35 U.S.C. §101. This rejection is respectfully traversed.

Without conceding the propriety of the rejections, independent claims 18 and 24 are amended based on suggestions made by the Examiners during the August 11, 2009 personal interview. For example, it was suggested that by specifying that an electronic evaluation was performed by a computer processor, the claims would be interpreted as reciting statutory subject matter sufficiently tied to a particular machine. Applicant thanks the Examiners for their suggestions, and understands that claims 18 and 24, and the claims depending therefrom, satisfy the requirements of 35 U.S.C. §101.

Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection under 35 U.S.C. §103

Claims 4, 8, 9, 11-13, 18 and 24-40 are rejected under 35 U.S.C. §103(a) as being unpatentable over US Pat. No. 6,141,653 to Conklin et al. (hereinafter “Conklin”), in view of US Pat. No. 7,069,234 Cornelius et al. (hereinafter “Cornelius”). This rejection is respectfully traversed.

Without conceding the interpretation, or application, of the applied references and solely to advance prosecution of this application, independent claims 4, 18 and 24 are amended. The applied references cannot reasonably be considered to have suggested the combinations of features recited in these claims for at least the following reasons.

To support a *prima facie* case of obviousness, the Examiner must demonstrate that each feature recited in the claims is found in the cited art, or provide explicit reasoning to support the finding that the features would have been obvious to one of ordinary skill in the art at the time the invention was made. See MPEP §§2141, 2142. The analysis of the Office Action fails to meet this standard at least with respect to the features recited in the independent claims.

With respect to claims 4, 18 and 24, the Office Action apparently concedes that Conklin does not disclose the features of wherein different seller agent users have different rights with regard to electronically proposing modifications to the purchase order agreement and electronically accepting proposed modifications to the purchase order agreement, and wherein different buyer agent users have different rights with regard to electronically proposing modifications to the purchase order agreement and electronically accepting proposed modifications to the purchase order agreement. The Office Action relies on Cornelius as allegedly disclosing such features. However, none of the relied upon portions of Cornelius disclose the specific features recited in claims 4, 18, and 24.

Claim 4 recites, in relevant part:

the system is configured to recognize different seller agent users have different rights with regard to electronically proposing modifications to the purchase order agreement and electronically accepting proposed modifications to the purchase order agreement;

the system is configured to recognize different buyer agent users have different rights with regard to electronically proposing modifications to the

purchase order agreement and electronically accepting proposed modifications to the purchase order agreement; and
the means for electronic modification of the purchase order agreement upon agreement by the seller and the buyer to the modification is configured so that proposed modifications to the purchase order agreement, and accepting proposed modifications to the purchase order agreement, are allowed by a computer processor based on the respective buyer and seller agents' rights.

Claims 18 and 24 recite similar features. The Office Action refers to sections of Cornelius that deal with workflow management and security. However, these sections do not disclose the relevant features of recognizing different seller agent users have different rights with regard to electronically proposing modifications to the purchase order agreement and electronically accepting proposed modifications to the purchase order agreement; recognizing different buyer agent users have different rights with regard to electronically proposing modifications to the purchase order agreement and electronically accepting proposed modifications to the purchase order agreement; and proposed modifications to the purchase order agreement, and accepting proposed modifications to the purchase order agreement, are allowed by a computer processor based on the respective buyer and seller agents' rights.

These issues were discussed during the August 11, 2009 personal interview. The Examiners referred to portions of Cornelius that deal with different roles and tasks within a workflow management 8150, e.g. col. 81, lines 49-55. However, Applicant's representative pointed out that the relied-upon roles in Cornelius deal with a process management that (1) does not reasonably correspond with the specific features regarding a purchase order agreement between a seller and a buyer and relating to a transaction in one or more goods or services, and (2) does not disclose the specifically recited features indicated above. The Examiners did not identify a portion of Cornelius or Conklin that disclosed, for example, different seller agent users have different rights with regard to electronically proposing modifications to the purchase order agreement and electronically accepting proposed modifications to the purchase order agreement; different buyer agent users have different rights with regard to electronically proposing modifications to the purchase order agreement and electronically accepting proposed modifications to the purchase order agreement; and proposed modifications to the purchase order agreement, and accepting proposed modifications to the purchase order agreement, are allowed

by the computer processor based on the respective buyer and seller agents' rights, as recited in claim 18.

As such, Applicant submits that the applied references cannot reasonably be considered to have suggested all of the combinations of features positively recited in claims 4, 18 and 24. The remaining claims are likewise allowable for at least the respective dependence of those claims, directly or indirectly, on an allowable base claim, as well as for the separately patentable features that each of those claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 4, 8, 9, 11-13, 18, 24-36 and 39-43 are respectfully requested.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 202-481-9900.

The Commissioner is authorized to charge any fees due or credit any overpayment to the deposit account of Townsend and Townsend and Crew LLP, Deposit Account No. 20-1430.

Respectfully submitted,

/James E. Golladay/
James Golladay
Reg. No. 58,182

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TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 202-481-9900
Fax: 415-576-0300
Attachments:

Request for Continued Examination
Petition for Extension of Time

JEG:
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